

EXHIBIT J

AFFIDAVIT OF DR. ERIK VON KIEL

J

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**RICHARD C. SMITH,
Plaintiff**

**No. 1:08-cv-1397
Civil Action – Law**

vs.

:

**PRIMECARE MEDICAL, INC.,
CARL A. HOFFMAN, JR., D.O.,
THERESA M. HOFFMAN,
JOSHUA D. LOCK,
MARCY HOFFMAN-SCHLEGEL,
FRANK KOMYKOSKI, and
KNIGHTS OF VON DUKE, LTD.,
Defendants**

:

Chief Judge Kane

:

Jury Trial Demanded

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Affidavit of Dr. Erik Von Kiel

I, Erik Von Kiel, M.D., do hereby swear that the following is true and correct to the best of my knowledge, information and belief:

1. I have served as the Assistant Corporate Medical Director for PrimeCare Medical, Inc. since August 1, 2004. I am also site director for a variety of facilities, which has included Lancaster County Prison since November 2007 when Lancaster County awarded the contract to PrimeCare Medical, Inc.
2. Between November 1, 2007 and at least January 28, 2008, I worked two days per week at Lancaster County Prison.
3. As part of my duties at Lancaster County, I supervise the work of Rodney Hostetter, a Physician's Assistant, who works full-time for PrimeCare Medical, Inc. at the Lancaster County Prison.
4. In addition to my on site time, I am available to Mr. Hostetter seven days per week, twenty-four hours per day.
5. Richard Smith never contacted me regarding my supervision of Mr. Hostetter or any alleged violation of the Pennsylvania Medical Practices Act.

6. To the best of my knowledge, I have complied with the Pennsylvania Medical Practices Act concerning the supervision of Rodney Hostetter.


Erik Von Kiel, ~~Notary Public~~


Sworn to and subscribed
before me this 31st day
of August, 2009.

Sally A. Marsh
Notary Public

My Commission Expires: 9/17/2010

